

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X

H Katz

plaintiff

against

Joe R Mogsus
All That Glitters Inc

Defendant(s)

NOTICE OF MOTION

574

06 cv 08474 (ABC)

(docket number) (judge's initials)
x 06cv08474 VLIPRZ6887PLEASE TAKE NOTICE that upon the annexed affidavit or
affirmation Joe R Mogsus sworn to or affirmed7/13/2006 20 and upon the complaint herein,
Joe R Mogsus Honorable Dennis L. Cacciatore
plaintiff will move this Court, (Judge's name) U.S.D.J.,

in room United States Courthouse, Brooklyn, New York, 11201,

on the 13th day of July, 2006, at (time) or assoon thereafter as counsel can be heard, for an order pursuant to
Rule of the Federal Rules of Civil Procedure granting

by motion for a dismissal of the case

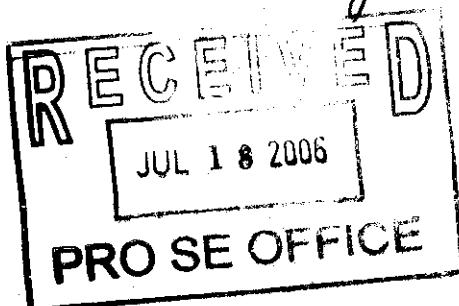
06cv08474 Katz vs Joe R Mogsus All That Glitter Inc.

MORGAN West VIRGINIA

Dated: County, New York

Date: JULY 17 2006

JR


Joe R Mogsus
Joe R Mogsus
PLAINTIFF PRO SE
 Mail - PO Box 602
 Cross Junction Va
 22625

304-258-4247

 Phone & Address not viable after July 21/2006
 as explained previously the house has been sold by
 owner am moving - will provide cell number
 new address as soon as I can

KATZ VS JOE R MOGUS / ALL THAT GLITTERS INC
I am now asking this court to dismiss this case (06cv05474 , Katz vs. Joe R. Mogus /All That Glitters Inc due to the lack of response and cooperation of plaintiffs counsel , Mr. Kline. To this point he has not responded to any of the motions i have filed some as long ago now as i believe 7 weeks , nor did he respond to any of my letters or faxes as we had been ordered to confer by Magistrate Judge Orenstein prior to our June 21st conference — totally ignoring my overtures to discuss. As a pro se defendant, I have struggled to observe and respect the rules and protocols of the court , to make this process work , he ,simply has not . Due to this lack of even a response I am now asking a dismissal of this case

Most Sincerely

Joe R Mogus

—
Joe R Mogus

P.S. Is this process open-ended, without parameter? I do recollect a date of May 21st having been established for response by plaintiff counsel I have no recollection of that date being amended or revoked.

—Thank You

Joe Mogus

WHEREFORE, I respectfully request that the court grant the within motion, as well as such other and further relief that may be just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

7/14/06

(Date)

Joe R Mogs

Your Signature

Print your name

Joe R Mogs

To Law Office Shurel K. (ain P)
868 Route 59 West
Spring Valley
New York 10577

CC All Pages Shurel K. (ain
P)

Box 602
Cross Junction
VA 22605

ROSS/ALTGITTER
PO 602
Cross Junction, N.Y.
PO 625

CERTIFIED MAIL™



U.S. POSTAGE
PAID
BERKELEY SPRINGS, W.V.
JUL 14 2006
AMOUNT
\$2.79
00078076-05

U.S. District Court Eastern
District
225 Cadman Plaza East
Mr. Ralph V. S. Jr.
Brooklyn, New York 11201